

United States District Court

DISTRICT OF DELAWARE

UNITED STATES OF AMERICA

v.

VINCENTE VILLALOBOS RODRIGUEZ

CRIMINAL COMPLAINT

CASE NUMBER: 07- 73 M MPT

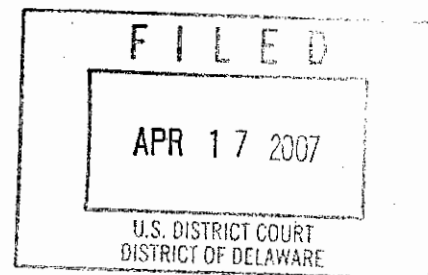
REDACTED

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about see Attachment A in _____ county, in the _____ District of Delaware defendant(s) did, (Track Statutory Language of Offense) see Attachment A

in violation of Title 8 United States Code, Section(s) 1325(a)(1), 911, 1546(a) and 1028(a)(4), 408(a)(7)(B)

I further state that I am a(n) ICE Special Agent and that this complaint is based on the following facts: AFFIDAVIT attached.



Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

Date 4/17/07

Honorable Mary Pat Thyng
United States Magistrate Judge
Name & Title of Judicial Officer

Signature of Complainant
David B. Yeary
Special Agent, Immigration and
Customs Enforcement

at Wilmington, Delaware
City and State

Signature of Judicial Officer

AFFIDAVIT

I, David B. Yeary, being duly sworn, depose and say:

1. I am a Special Agent with the United States Department of Homeland Security, Bureau of Immigration & Customs Enforcement (ICE), Dover Delaware. I have been employed as a Special Agent since January 25, 2003, when I was employed by the INS. The INS was transferred to the U.S. Department of Homeland Security as the Bureau of Immigration & Customs Enforcement in March 2003.

2. This investigation is based on information developed through an ongoing ICE investigation, INS/ICE database queries, and my own observations and interviews.

3. On or about April 13, 2007, at approx 1100 hrs a Federal Search Warrant was executed at [redacted], Blades Delaware 19973. At this residence one Vicente VILLALOBOS Rodriguez (VILLALOBOS) was encountered. He was asked his citizenship and status in the United States, and he claimed to be a Mexican citizen and an illegal alien.

4. On April 16, 2007, an interview of VILLALOBOS was done with Special Agent William Horn interpreting. During the interview VILLALOBOS stated that he worked at Mountaire Poultry Plant in Selbyville, DE. VILLALOBOS stated that he worked under the name Luis Angel NAVARRO Vasquez. VILLALOBOS stated that he presented a Social Security Card and an Ohio State Identification card to obtain employment at Mountaire Poultry Plant in Selbyville, DE.

5. A copy of the U.S. Department of Justice Employment Eligibility Verification (Form I-9) was obtained from Mountaire Poultry Plant in Selbyville, DE. The Form I-9 was shown to VILLALOBOS. He stated that he signed this form and that the copy of the Ohio ID and Social Security Card are what he presented. On the I-9 VILLALOBOS checked the box stating that he was a Citizen or a national of the United States. The I-9 Form was signed and dated on 08/20/2004.

6. A Sworn Statement was taken with the assistance of Special Agent William Horn. In this statement VILLALOBOS stated that he had entered the United States without Inspection at/near Douglas AZ, on/about 04/14/2004. A review of the ICE Central Index System database does not reveal any evidence of a legal entry into the United States.

WHEREFORE, your affiant avers that there is probable cause to believe that VILLALOBOS is in violation of 8 U.S.C. 1325; 18 U.S.C. 1028, 1546 and 911; and 42 U.S.C. 408(a)(7)(B).


David B Yeary
Special Agent
U.S. Immigration & Customs Enforcement

Attachment A

On or about April 14, 2004, the defendant, an alien and subject of Mexico, did knowingly and unlawfully enter the United States from Mexico at a point in Arizona, at a time and place that was then and there other than as designated by Immigration officials of the United States for the entrance of immigrants into the United States, and the defendant was apprehended in the District of Delaware, in violation of 8 U.S.C. § 1325(a)(1) and 1329.

On or August 20, 2004, in the District of Delaware, the defendant falsely and willfully represented himself to be a citizen of the United States when applying for a job and submitting an Immigration Form I-9, in violation of 18 U.S.C. § 911.

On or about August 20, 2004, in the District of Delaware, the defendant knowingly did possess, utter, and use a Social Security card, a document proscribed by statute and regulation as evidence of authorized employment in the United States, knowing the documents were unlawfully obtained, in violation of 18 U.S.C. § 1546(a).

On or about August 20, 2004, in the District of Delaware, the defendant knowingly did possess, utter and use a Social Security card and a State driver's license, neither document lawfully issued to the defendant, with the intent that such documents be used to defraud the United States Immigration and Customs Enforcement, an agency of the United States, in violation of 18 U.S.C. § 1028(a)(4).

On or about August 20, 2004, in the District of Delaware, the defendant willfully and knowingly, and with intent to obtain employment by deception, did falsely represent that a particular Social Security account number had been assigned to him by the Social Security Administration, when in fact, the defendant knew the Social Security number had not been assigned to him, in violation of 42 U.S.C. § 408(a)(7)(B).